

REMARKS

This is intended to be a complete response to the Official Action mailed June 18, 2004, in which claims 1-24 were rejected.

CLAIM AMENDMENTS

Claims 1 and 17 have been amended to indicate that the left side edge and right side edge are "single," as shown for example in Fig. 1 wherein the single left side edge 40 is shown as sealed from the upper end 14 to the lower end 16 and the single right side edge 42 is shown as sealed from the upper end 14 to the lower end 16.

Claims 1, 7, 8, 13, 17, and 21 have been amended to indicate that the method also comprises covering a floral grouping (without a pot) as enabled in ¶ 0060, page 21 of the specification, claim 6 (and claim 26 added) has been amended to indicate that the upper portion comprises a support element (see 74 of Fig. 8, 74e of Fig. 11, 74f of Fig. 12, and 74g of Fig. 13 for example).

Claims 25 and 27 have been added to indicate that the floral sleeve may have a skirt portion (e.g., 72a, 72b, 72e, 72f, 72g, and 72h in Figures 6, 7, 11, 12, 13, and 14, respectively).

First Rejection under 35 U.S.C. §103(a)

Claims 1-9 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Newport (AU 42319/78) in view of Landau (US 5,235,782).

Newport teaches a floral sleeve having a tapered shape and an open lower end.

In the rejection it is asserted that the sleeve of Newport has a

“bottom having a lower bottom surface, a left side bottom surface extending upwardly from the lower bottom surface to the left side edge, and a right side bottom surface extending upwardly from the lower bottom surface to the right side edge”

However, applicants respectfully traverse this assertion on the basis that it is incorrect.

The sleeve of Newport never defines a “bottom” in the lower end, thus cannot possibly have a lower bottom surface, a left side bottom surface, or a right side bottom surface, as claimed herein.

Furthermore, even if the sleeve of Newport was modified to have the gusset and bottom as taught by Landau, the combination would not arrive at the present invention for the following reasons.

The sleeve as presently claimed has a single left side edge and a single right side edge, each of which is sealed from the upper end of the body to the lower end of the body. The sleeve of Landau, to the contrary, has two left side edges and two right side edges which together from the gusset (see 24 in Fig.

1 of Landau). In the sleeve of the present invention the single left side edge 40 is entirely sealed to the lower end 22 and the single right side edge 42 is entirely sealed to the lower end 22. The purpose of this configuration in the present claim is that the bottom 54 of the sleeve is thereby concealed from view when the sleeve is opened (see Fig. 4). Conversely, when the gusset of the Landau sleeve is opened, all portions of the bottom are not concealed from view.

Clearly, the sleeve as presently claimed and shown variously in Figures 1-14 and described in the specification is not merely a combination of the elements of the sleeves of Newport and Landau. The presently claimed sleeve enables a considerably enhanced decorative effect of the potted plant or floral grouping because the bottom of the sleeve is concealed, and further, since the decorations on the first panel and second panel of the sleeve are preserved intact substantially without folding. No combination of Newport and Landau achieves this result since the gusset of Landau has at least two left side edges and two right side edges, contrary to the claimed invention.

In view of the above, applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a).

Second Rejection under 35 U.S.C. §103(a)

Claims 10-12 and 18-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Newport (AU 42319/78) in view of Landau (US 5,235,782) in further view of Benoit (US 4,554,192).

Applicants respectfully traverse the rejection for the same reasons provided in the response to the first rejection under 35 U.S.C. §103(a). A combination of Newport and Landau does not arrive at the claims as presently pending, nor do the teachings of Benoit alleviate the deficiencies of the combination of Newport and Landau.

In view of the above, applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a).

Third Rejection under 35 U.S.C. §103(a)

Claims 13-16 and 21-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Newport (AU 42319/78) in view of Landau (US 5,235,782) in further view of Sievers (US 1,868,853).

Applicants respectfully traverse the rejection for the same reasons provided in the response to the first rejection under 35 U.S.C. §103(a). A combination of Newport and Landau does not arrive at the claims as presently pending, nor do the teachings of Sievers alleviate the deficiencies of the combination of Newport and Landau.

In view of the above, applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a).

Cited Secondary References

The references cited by the examiner have been reviewed and it has been determined that none of the references teach the invention as claimed herein.

Conclusion

In view of the above, Applicants respectfully submit the claims are now in a condition for allowance and respectfully request issuance of a Notice of Allowance thereof.

Respectfully submitted,



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